REMARKS

Applicant thanks the Examiner for consideration given this application. Claims 1-35 are presently pending. Claims 1 and 11 are independent. Claims 1-21, 23, 27, 29 and 33 have been amended. Claims 34 and 35 are new. Applicant respectfully requests reconsideration of the rejected claims in light of the amendment and remarks presented herein, and earnestly seek timely allowance of all pending claims.

Claims Objections

Claims 1-33 have been objected to for informalities. We have corrected the errors mentioned in claims 1-5 while some of these objections have been rendered moot by the amendments to the claims. However, no other errors in claims 6-33 are readily apparent, but we would be happy to correct any other errors the Examiner can point out. Therefore, it is respectfully requested these objections be withdrawn.

Rejection Under 35 U.S.C. § 112

Claims 1-10, 18, 19, 23 and 29 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

The rejections to claim 1 as well as dependent claims 2-9 under 35 U.S.C. § 112 have been rendered moot by the claim amendments to claim 1. Therefore, it is respectfully requested these rejections be withdrawn.

The rejection is traversed with respect to claims 18 and 19. The Examiner appears to be unclear as to how white balance correction values relate to the target color information. However, claims 18 and 19 clearly state what defines the target color information and how white balance correction values relate to the target color information within that definition. Therefore, it is respectfully requested these rejections be withdrawn.

Furthermore, we have amended claims 23 and 29 to overcome the rejections based on those claims. Therefore, it is respectfully requested these rejections be withdrawn.

Rejection Under 35 U.S.C. § 103 – Ishii, Takeshita

Claims 1-9, 11-20, 22, 26-28 and 32-33 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ishii et al. ("Ishii", U.S. Patent 7,009,640) in view of Takeshita et al. ("Takeshita", U.S. Patent 7,084,907). This rejection is respectfully traversed.

Amended independent claims 1 and 11 recite, *inter alia*, "**grouping points which represent the color information for said plurality of division areas in the color space which is represented by R/G and B/G, based on distance between said points**". Neither Ishii nor Takeshita discuss the above-mentioned claim feature.

Ishii is a color reproduction system that includes a color correction section (*See Abstract*). While Ishii discusses a color chart, this color chart is dissimilar to the color space represented by R/G and B/G as currently claimed. The color chart in Ishii simply consists of patches having 16 independent spectral reflectances (a plurality of objects having spectral reflectances) (*See Column 24, Lines 59-65*).

Furthermore, Takeshita is an image capturing device that includes a gain adjustment device that performs a gain adjustment by multiplying the image-capturing signal output by the image capturing element by the gain calculated by the gain calculating device (*See Abstract*). While Takeshita may contain many graphs within the figures, none represent the color space represented by R/G and B/G and none group points representing color information for the said plurality of division areas in the color space based on distance between said points (*See Figures 9-11*).

Therefore, Ishii and Takeshita are wholly devoid of "grouping points which represent the color information for said plurality of division areas in the color space which is represented by R/G and B/G, based on distance between said points" as recited by claims 1 and 11.

Amended independent claim 1 recites, *inter alia*, "<u>counting number of the points within each of the groups and obtaining specific groups from among the groups based on said number of the points</u>". Amended independent claim 11 recites, *inter alia*, "<u>counting number of the points within each of the groups; . . . obtaining specific groups from among the groups based on said number of the points</u>". Neither <u>Ishii</u> nor <u>Takeshita</u> discuss the above-mentioned claim feature.

<u>Ishii</u> does discuss a monitor profile that simply consists of a matrix M containing XYZ tristimulus values and gradation correction data T (*See Column 20, Lines 53-65; Column 27, Lines 19-62; and Column 27, Lines 25-26*), However, this data is simply the display of input color signals (*See Column 20, Line 57*). There is no discussion in <u>Ishii</u> of counting number of the points within each of the groups and obtaining specific groups from among the groups based on said number of the points.

While <u>Takeshita</u> discusses how the CPU 35C selects an area with the largest number of sets of chromaticity data among the area 1~6 representing the sunlight sources, this is completely dissimilar to the above-mentioned features (*See Column 9, Lines 51-67*). The groups of points representing color information on the color space represented by R/G and B/G as claimed above are not an equivalent to the chromaticity data of the different sunlight sources as discussed in <u>Takeshita</u> in Column 9. Thus, a specific group of from among the groups based on said number of the points is distinguishable from <u>Takeshita</u> as well.

Therefore, there is not even a mere mention in either <u>Ishii</u> or <u>Takeshita</u> of counting number of the points within each of the groups and obtaining specific groups from among the groups based on said number of the points.

Amended independent claim 1 recites, *inter alia*, "<u>obtaining R/G gains and B/G gains for making representative points which represent each of the specific groups the neutral gray (N gray) and calculating white balance correction values based on the R/G gains and the B/G gains; and adjusting the white balance of said RGB signals based on said white balance correction values</u>". Amended independent claim 11 recites, *inter alia*, "<u>obtaining</u>

R/G gains and B/G gains for making representative points which represent the specific groups the neutral gray (N gray) and calculating white balance correction values based on the R/G gains and the B/G gains; and an adjusting device for adjusting the white balance of said input RGB image based on said calculated white balance correction values". Neither Ishii nor Takeshita discuss the above-mentioned claim feature.

Ishii is a color reproduction system that includes a color correction section (*See Abstract*). Ishii corrects color based on input profiles (*See Column 10, Lines 39-50*). There is not even a mention of adjusting white balance in Ishii.

Takeshita does discuss gain values, however the method of calculating these values is completely dissimilar to that of the instant application. In Takeshita, the gains are calculated based on chromaticity data to determine white balance coefficients. (See Column 10, Lines 1-27). However, there is no discussion of obtaining R/G gains and B/G gains for making representative points which represent each of the specific groups the neutral gray (N gray).

Therefore, Ishii and Takeshita are wholly devoid of the above-mentioned claim features.

For at least the reasons stated above, independent claims 1 and 11 are patentably distinct from Ishii and Takeshita. Claims 2-9, 12-20, 22, 26-28 and 32-33 are at least allowable by virtue of their dependency on corresponding allowable independent claim.

Accordingly, it is respectfully requested to withdraw this anticipation rejection of claims 1-9, 11-20, 22, 26-28 and 32-33 based on Ishii and Takeshita.

Rejection Under 35 U.S.C. § 103 – Ishii, Takeshita, Hubina

Claims 10 and 21 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ishii et al. ("Ishii", U.S. Patent 7,009,640) in view of Takeshita et al. ("Takeshita", U.S. Patent 7,084,907), and further in view of Hubina et al. ("Hubina", U.S. Patent 6,876,384). This rejection is respectfully traversed. Hubina does not remedy the noted deficiencies of Ishii and

Takeshita. <u>Hubina</u> is only relied upon to teach dependent claim features, which are not being relied upon for patentability at this time.

Accordingly, it is respectfully requested to withdraw this obviousness rejection of claims 10 and 21 based on <u>Ishii</u>, <u>Takeshita</u> and <u>Hubina</u>.

Rejection Under 35 U.S.C. § 103 – Ishii, Takeshita, Higuchi

Claims 23 and 29 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ishii et al. ("Ishii", U.S. Patent 7,009,640) in view of Takeshita et al. ("Takeshita", U.S. Patent 7,084,907), and further in view of Higuchi ("Higuchi", U.S. Patent 7,151,563). This rejection is respectfully traversed. <u>Higuchi</u> does not remedy the noted deficiencies of <u>Ishii</u> and Takeshita. <u>Higuchi</u> is only relied upon to teach dependent claim features, which are not being relied upon for patentability at this time.

Accordingly, it is respectfully requested to withdraw this obviousness rejection of claims 23 and 29 based on <u>Ishii</u>, <u>Takeshita</u> and <u>Higuchi</u>.

Rejection Under 35 U.S.C. § 103 – Ishii, Takeshita, Takemoto

Claims 24 and 30 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ishii et al. ("Ishii", U.S. Patent 7,009,640) in view of Takeshita et al. ("Takeshita", U.S. Patent 7,084,907), and further in view of Takemoto ("Takemoto", U.S. Patent 7,081,918). This rejection is respectfully traversed. <u>Takemoto</u> does not remedy the noted deficiencies of <u>Ishii</u> and Takeshita. <u>Takemoto</u> is only relied upon to teach dependent claim features, which are not being relied upon for patentability at this time.

Accordingly, it is respectfully requested to withdraw this obviousness rejection of claims 24 and 30 based on <u>Ishii</u>, <u>Takeshita</u> and <u>Takemoto</u>.

Rejection Under 35 U.S.C. § 103 – Ishii, Takeshita, Higuchi, Takemoto

Claims 25 and 31 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ishii et al. ("Ishii", U.S. Patent 7,009,640) in view of Takeshita et al. ("Takeshita", U.S. Patent 7,084,907), and further in view of Higuchi ("Higuchi", U.S. Patent 7,151,563) and Takemoto ("Takemoto", U.S. Patent 7,081,918). This rejection is respectfully traversed. Takemoto does not remedy the noted deficiencies of Ishii, Takeshita and Higuchi. Takemoto is only relied upon to teach dependent claim features, which are not being relied upon for patentability at this time.

Accordingly, it is respectfully requested to withdraw this obviousness rejection of claims 25 and 31 based on Ishii, Takeshita, Higuchi and Takemoto.

Conclusion

All matters having been addressed in view of the foregoing, Applicant respectfully requests entry of this Amendment, the Examiner's reconsideration of the application, and the immediate allowance of all pending claims.

Applicant's undersigned representative remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains an issue in which the Examiner feels would be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.147; particularly, extension of time fees.

Date: September 26, 2008   Respectfully submitted,

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